UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
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ART UNIT	PAPER NUMBER
2134	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _16 March 2000_.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is

   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☐ Claim(s) _____ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _16-25_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a) ☐ All b) ☐ Some * c) ☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____.

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage

      application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail. Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1.   This action s responsive to communications: amendment filed 3/29/06 to the

application filed 3/16/00.

Claims 1-15 are cancelled.

Claims 16-25 are added.

The rejections of claims 1-15 under 35 U.S.C. 102 have been withdrawn in view of the

cancellation of these claims.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3.   Claims 16 and 21 rejected under 35 U.S.C. 102(b) as being preceded by

Blonder, US Patent No. 5559961 (Hereafter referred to as '961).

As to claims 16 and 21:

Image storing means for storing a check image / Images that have been loaded and

stored in memory (Col 3, Line 27, '961)

Registered data storage means for storing location data of a registered checking point /

stores the coordinates of the selected location (Col 4, Line 42, '961)

Display means, having a display screen / Visual display screen ... (Col 2, Line 63 et

seq., '961)

Attaining means for attaining coordinates of a point designated by the operator / Means

responsive to a user for determining a users selection of locations ... (Col 1, Line 61 et

seq., '961)

Detection/Comparison means for detecting relative coordinates of the designated point

on the check image... / compare the coordinates of each sequentially-selected location

against the coordinates of the positions of the corresponding sequentially-numbered tap

region within (relative to) the password image (Col 4, Line 49, '961)

Determining if the operator is authorized to use the apparatus / Deny user access to a

resource that is protected by the password (Col 1, Line 67 et seq., '961)

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claim 17 rejected under 35 U.S.C. 103(a) as being unpatentable over '961 in

view of Windows 95 for Dummies.

6.   As to claim 17:

'961 teaches the use of a checking device implemented on a processing system such as a personal computer (Col 2, Line 56 et seq., '961). '961 does not explicitly teach the use of window images as display images or the ability to update the location of the window/display image on the screen. The Windows operating system is notoriously well known in the art for use with personal computers. Windows 95 for Dummies teaches the use of windows to visually contain running program information, including user-checking (authentication and identification) applications. Windows 95 for Dummies also teaches updating the location of a window on the display screen (Page 100, Line 4). It would have been obvious to a person of ordinary skill in the art at the time of invention to use the Windows operating system as the interface to the graphical password invention of '961. One of ordinary skill in the art would have been motivated to the Windows operating system as the interface to the graphical password invention of '961 because Windows is a commonly used operating system known for its ease of use and flexibility.

7.   Claim 18 rejected under 35 U.S.C. 103(a) as being unpatentable over '961 in view of Windows 95 for Dummies in further view of "Working in Windows 95".

8.   As to claim 18:

'961 as modified above teaches the use of a checking device implemented on a processing system such as a personal computer installed with the Windows operating system (Col 2, Line 56 et seq., '961). Not specifically taught is to use a screen saver to move images on the screen after a period of user inactivity. Working in Windows 95

teaches screen saver functionality to display moving graphics after a period of user

inactivity (Page 6, Paragraph 3). It would have been obvious to a person of ordinary

skill in the art at the time of invention to use a screen saver with functionality to move

displayed graphics with the Windows operating system in the invention of '961 as

modified above. One of ordinary skill in the art would have been motivated to use a

screen saver with functionality to move displayed graphics because screen savers can

help prevent damage to display devices over extended periods time.

9.   Claims 19, 22, and 25 rejected under 35 U.S.C. 103(a) as being unpatentable

over '961 in view of Windows 95 for Dummies in further view of "Programming in

Windows 3.1".

10.   As to claims 19, 22, and 25:

'961 as modified above teaches the use of a graphical checking device implemented on

a personal computer installed with the Windows operating system (Col 2, Line 56 et

seq., '961). Not specifically taught is the coordinate system transformations used to

match checking point locations with their corresponding display image location with a

given image size. Programming in Windows 3.1 teaches mapping modes for converting

between logical coordinates and physical device coordinates for both displaying (Page

443, Paragraph 2) and device input (Page 485, "Mouse Handling in Review). It would

have been obvious to a person of ordinary skill in the art at the time of invention to use

the Windows programming APIs with the Windows operating system in '961 as modified

above to establish mapping relationships between logical image coordinates and point

selecting input coordinates. One of ordinary skill in the art would have been motivated

to use Windows programming APIs with the Windows operating system in '961 as

modified above because this is the standard programming interface for windows

programming with images and input devices.

11.   As to claim 23:

Update means for updating the display size of the check image / Use borders to change

a windows size (Page 105, Line 3, Windows for Dummies). When using logical

coordinates, resizing windows will change the size of the image.

12.   Claim 20 rejected under 35 U.S.C. 103(a) as being unpatentable over '961 in

view of Windows 95 for Dummies in further view of Fileguard 3.2.

13.   As to claim 20:

'961 as modified above teaches the use of a graphical password to control user access

to an application (Col 3, Line 7, '961). '961 does not specifically teach for the graphical

password to be used for each of several applications. Fileguard 3.2 teaches user

access control of individual applications using password protection (Page 1, Paragraph

3). It would have been obvious to a person of ordinary skill in the art at the time of

invention to use graphical password as access control to individual applications as done

with Fileguard 3.2. One of ordinary skill in the art would have been motivated to

graphical password as access control to individual applications as done with Fileguard

3.2 because to do so provides more specialized and individualized user access control.

14.   Claim 24 rejected under 35 U.S.C. 103(a) as being unpatentable over '961 in

view of Windows 95 for Dummies in further view of "Programming in Windows 3.1" in

further view of "How to Make a Windows Screen Saver in Delphi" (hereafter referred to

as Delphi).

15.   As to claim 24:

'961 as modified above teaches the use of a graphical checking device implemented on

a personal computer installed with the Windows operating system (Col 2, Line 56 et

seq., '961) using a screen saver with relocating images activated after a period of user

inactivity. Not specifically taught is for the images to be resized. Delphi teaches a

screen saver using an image which is resized. It would have been obvious to a person

of ordinary skill in the art at the time of invention to use a screen saver with an image of

differing sizes as in Delphi with the invention of '961 as modified above. One of

ordinary skill in the art would have been motivated to use a screen saver with

functionality to display an image of differing sizes because screen savers can help

prevent damage to display devices over extended periods time.

.Conclusion

16.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

17.   A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

18.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan R Adams whose telephone number is (703) 305-8894. The examiner can normally be reached on Monday – Friday from 10am to 6pm.

19.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse, can be reached on (703) 308-4789. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306 Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

GREGORY MORSE
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TECHNOLOGY CENTER 2100